

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Civil Minutes

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Date: November 5, 2018

Judge: Hon. James Donato

Time: 23 minutes

Cases: MD-17-02801-JD *In re Capacitors Antitrust Litigation (No. III)*

C-17-03472-JD *The AASI Beneficiaries Trust, by and through Kenneth A. Welt, Liquidating Trustee v. AVX Corporation et al*

C-17-07046-JD *Avnet Incorporated v. Hitachi Chemical Company Limited et al*

C-17-07047-JD *Benchmark Electronics Incorporated et al v. AVX Corporation et al*

Attorney(s) for Plaintiff(s): Lori P. Lustrin

Attorney(s) for Defendant(s): Daryll Foix/Katherine Larkin-Wong/Charles E. Tompkins

Deputy Clerk: Tana Ingle

PROCEEDINGS

Telephonic Discovery Hearing (Not Reported) - Held

NOTES AND ORDERS

The Court held a telephonic conference to address discovery disputes raised by parties over depositions of Mr. Takahashi and Mr. Miyakawa.

The Court grants plaintiffs a four-hour telephonic deposition of Mr. Takahashi. Plaintiffs' request for an in-person deposition (to be taken in Hong Kong) is denied on the basis that Mr. Takahashi is a retired employee and plaintiffs have already had the opportunity to take a 30(b)(6) deposition of defendant Soshin. The parties may request further court assistance in the event Mr. Takahashi refuses to sit for the deposition.

The Court also grants plaintiffs a three-hour telephonic deposition of Mr. Miyakawa, who is a current employee of Soshin. The Court finds that a three-hour telephonic deposition is a minimal burden. Though some overlap is ok, plaintiffs are directed to focus as much as possible on topics and questions that are new and unique to Mr. Miyakawa. The parties are to work together on the appropriate location for the telephonic deposition.